

REMARKS

This *Amendment* is responsive to the Official Action mailed August 14, 2006, and is accompanied by a petition for extension of time and the required fee. Appended hereto is a marked-up version of the changes made to the specification by the current amendment, captioned on the first sheet thereof “**Version with Markings to Show Changes Made.**”

Previously presented claims 2-9 and 12-18 are pending. Claims 10-11 and 19-20 have been previously withdrawn. Claim 1 has been canceled herein, without prejudice.

I.

In the Official Action, the specification was objected to for a specifically-identified matter of informality. Applicant respectfully submits an amendment to the specification to correct this matter, as shown better with amendment markings in the appended sheet captioned “**Version with Markings to Show Changes Made.**” Reconsideration is respectfully requested. No new matter is added. Withdrawal of the objection to the specification is likewise respectfully requested.

II.

In the Official Action, claims 2, 3 and 12 were objected to for specifically-identified informalities, which in consequence rendered claims 2-9 and 12-18 rejected under 35 U.S.C. §112, second paragraph. The offending phraseology “[an] apron-like fascia treatment,” despite having support in the specification in the paragraph beginning at page 10's line 26 and continuing over to page 11's line 4, has been replaced with – [a] depending flange of the hardened casting compound –. Reconsideration and withdrawal of the rejection under §112's second paragraph are respectfully requested. Any further inquiry into the foregoing matter with the undersigned by a telephonic interview is, of course, welcome.

III.

Claim 1 was rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's admitted prior art in view of anticipated Esfratis et al. (U.S. Patent No. 5,546,708). Applicant is pleased that claims 2-9 and 12-18 were considered to define over the prior art of record.

Reconsideration is requested of claims 2-9 and 12-18.

Claim 2 has been rewritten in independent form and includes the subject matter of independent claim 1, which was canceled. Moreover, claim 2 has been amended as described more particularly above to overcome a section 112, second paragraph rejection. Accordingly Claim 2 is allowable in accordance with the official action.

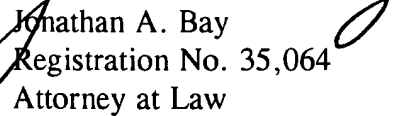
Claims 3 and 12 (like claim 2 in part) have been amended as described more particularly above to overcome a section 112, second paragraph rejection. Consequently, claims 3 and 12 as well as claims 4-9 and 13-18 respectively depending therefrom are likewise allowable in accordance with the official action.

Every effort has been made to particularly and distinctly define the subject matter of the invention. The claims are definite, and are patentable over the prior art of record. The differences between the invention and the prior art are such that the subject matter claimed as a whole would not have been known or obvious to a person of ordinary skill in the art. Reconsideration, and allowance of all the pending claims, are respectfully requested.

Respectfully submitted,

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Docket No. 578-5-1


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Version(s) with Markings to Show Changes Made.

The paragraph beginning at page 1, line 18, with amendment markings:

FORMICA® is the lowest cost option, partly because countertops are simply resurfaced rather than having the counter totally refurbished. In that fashion, FORMICA® is simply used to cover over the original countertop, which of course eliminates the work of tearing out the counter. The shortcomings of FORMICA® include its vulnerability to being marked by scratches as well as burns. Also, FORMICA® does not really achieve a high-end classic look.